



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,671	10/30/2003	Sumit Roy	200313242-1	3556

22879 7590 06/30/2009  
HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
----------

CHANG, JULIAN

ART UNIT	PAPER NUMBER
----------	--------------

2452

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

06/30/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
ipa.mail@hp.com  
jessica.l.fusek@hp.com

**Advisory Action**  
**After the Filing of an Appeal Brief**

Application No.

10/698,671

Applicant(s)

ROY ET AL.

Examiner

JULIAN CHANG

Art Unit

2452

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 17 June 2009 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: Applicant has requested that the provisional double patenting rejection be held in abeyance until all other substantive issues in the case has been resolved. (Remarks 2). A provisional double patenting rejection may be overcome by filing a terminal disclaimer. Applicant's request is insufficient to overcome the rejection. Moreover, the MPEP states that a provisional double patenting rejection should be maintained as long as there are conflicting claims. MPEP 804(I)(B). As such, the provisional double patenting rejection is maintained.

Examiner may be reached at (571) 272-8631.

/Kenny S Lin/  
Primary Examiner, Art Unit 2452